

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE**

DIRK H. STRIDER,)	
)	CIVIL COMPLAINT
Plaintiff,)	
)	
v.)	CASE NO. 2:20-cv-2727
)	
ONLINE INFORMATION SERVICES,)	
INC.,)	JURY DEMAND
)	
Defendant.)	

COMPLAINT

Now comes DIRK K. STRIDER (“Plaintiff”), complaining as to ONLINE INFORMATION SERVICES, INC. (“Defendant”), as follows:

JURISDICTION

1. Subject matter jurisdiction is conferred upon this Court by 28 U.S.C. § 1331, as the action arises under the laws of the United States.

PARTIES

2. Plaintiff is a natural person residing in the State of Tennessee.

3. Defendant is a third-party debt collector with its principal place of business in Winterville, North Carolina.

BACKGROUND

4. Plaintiff incurred a debt that, upon information and belief, was for personal medical services.

5. After the alleged debt went into default, Defendant received it and began to collect upon it.

6. Defendant called Plaintiff on the phone repeatedly throughout September and October 2019.

7. Plaintiff informed Defendant repeatedly that Plaintiff was unable to pay on the debt.

8. Defendant's agents were aggressive and hostile on the phone, and they accused Plaintiff of lying about Plaintiff's inability to pay.

9. Plaintiff repeatedly told Defendant to stop calling.

10. Nevertheless, Defendant continued to call Plaintiff ten to twelve times per week.

11. The frequency of Defendant's calls, together with Plaintiff's explanation that Plaintiff was unable to pay, and Plaintiff's requests that the calls stop, indicates that Defendant made the calls with the intention to oppress or harass Plaintiff.

VIOLATIONS OF THE FAIR DEBT COLLECTION PRACTICES ACT

12. Plaintiff realleges the paragraphs above as though fully set forth herein.

13. Plaintiff is a "consumer" as defined by 15 U.S.C. § 1692a(3) of the FDCPA because the debt was incurred for personal use in the form of medical services.

14. Defendant is a "debt collector" as defined by § 1692a(6) of the FDCPA because the principal purposes of its business is the collection of debts, and because it uses the instrumentalities of interstate commerce to do so.

15. In the alternative, Defendant is a "debt collector" under § 1692(a)(6) because it regularly collects or attempt to collect, directly or indirectly, debts owed or due or asserted to be owed or due another.

16. Defendant's actions, as stated above, violate § 1692d(5) because Defendant engaged in conduct, as set forth in this Count, the natural consequence of which was to harass Plaintiff in connection with the collection of a debt.

WHEREFORE, Plaintiff respectfully requests judgment as follows:

- a. Awarding Plaintiff statutory damages in connection with the counts set forth above;
- b. Awarding Plaintiff actual damages;
- c. Awarding Plaintiff reasonable attorney fees;
- d. Awarding Plaintiff the costs of this action; and
- e. Awarding any other relief as this Honorable Court deems just and appropriate.

A TRIAL BY JURY IS DEMANDED.

Dated: September 27, 2020

By: s/ Jonathan Hilton

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